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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,713	01/21/2004	Pei-Yuan Lee	112.P77036	3703

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BEAVERTON, OR 97006

EXAMINER

CHOI, STEPHEN

ART UNIT	PAPER NUMBER
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3724

MAIL DATE	DELIVERY MODE
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08/01/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/761,713

Applicant(s)

LEE, PEI-YUAN

Examiner

Stephen Choi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6, 11, 13-15 and 21-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6, 11, 13-15 and 21-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 6, 11, 13-15, and 21-30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 6 and 21, the recitations "the stopper not having a handle" and "said means for preventing does not include a handle" are indefinite in that it is not clear what structure is not included to the stopper or the means for preventing since it is not clear what structures are not having or not including a handle. Thus, the recitations are, on its face, subject to more than one interpretation.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6, 13-15, and 21-30, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA (see Fig. 2a) in view of Almblad et al. (US 4,651,604).

AAPA discloses the invention substantially as claimed except for the handle member and the stopper being attachable and detachable with pins penetrating holes

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on the handle member and the stopper and corresponding holes on the transmitting shaft. Almblad teaches a handle member (e.g., 37) detachably secure to a shaft by a pin (e.g., 39) penetrating a hole on the handle member and a hole on the shaft (e.g., Fig. 2). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of AAPA to provide a detachable member as taught by Almblad in order to facilitate replacement of the member. The separation of elements, where removability would be desirable, is a design consideration within the skill of the art. It is noted that the element 11 of the modified device of AAPA is exchangeable between the ends.

5. Claim 11, as best understood, is rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in view of Almblad as applied to claim 6, and further in view of Chen (D 489,763).

The modified device of AAPA discloses the invention substantially as claimed except for hexagonal posts and hollow hexagonal ends. Chen teaches a hexagonal post engaging a hollow hexagonal end. It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ a hexagonal post engaging a hollow hexagonal end as taught by Chen on the modified device of AAPA in order to interlock the handle and the stopper with the shaft to facilitate positioning of the handle and the stopper on the shaft.

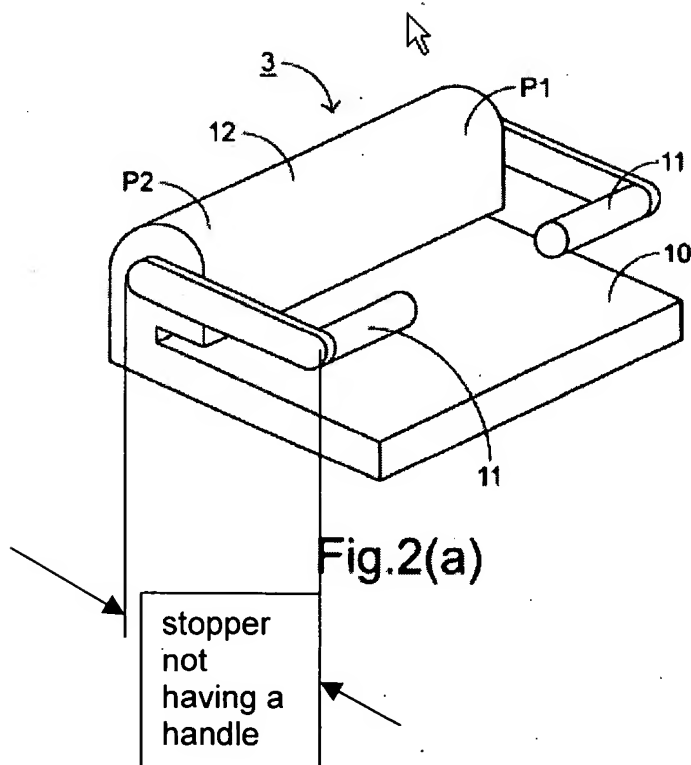
Response to Arguments

6. Applicant's arguments filed January 23, 2007 have been fully considered but they are not persuasive.

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Applicant contends that Almblad, alone or in combination with AAPA, does not teach “a handle member attachable to and detachable...”, “a stopper attachable to and detachable... the stopper not having a handle”, and “wherein said stopper and said handle member are capable of being exchangeably...”.

The examiner respectfully disagrees. The examiner agrees that there is no teaching in AAPA for detachable and exchangeable handles. However, detachable handles are old and well known in the art and Almblad shows one example of a detachable handle. Furthermore, the separation of elements, where removability would be desirable, is a design consideration within the skill of the art. In addition, the handles of the modified device of AAPA are capable of being exchanged. The limitation “capable of being exchangeably...” merely recites the manner in which a claimed apparatus is intended to be employed. Thus, the limitation does not differentiate the claimed apparatus from the modified device of AAPA since the modified device of AAPA satisfies the claimed structural limitations. Moreover, the recitations “the stopper not having a handle” and “said means for preventing does not include a handle” are indefinite as set forth above. However, as shown below, AAPA does teach the stopper/means for preventing not having a handle.



Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Choi whose telephone number is 571-272-4504. The examiner can normally be reached on Monday-Thursday 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer D. Ashley can be reached on 571-272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Stephen Choi/
Primary Examiner, AU 3724
27 July 2007